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RESOLUTION NO. 12-050

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING UNDERGROND STREET LIGHTING BE INSTALLED ALONG THE 1400 BLOCK OF NORTH WILLOW LANE (472-85038) IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF AUTHORIZING UNDERGROND STREET LIGHTING BE INSTALLED ALONG THE 1400 BLOCK OF NORTH WILLOW LANE (472-85038) IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to authorize underground street lighting be installed along the 1400 block of North Willow Lane (472-85038).

Said lighting shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to Fifteen Thousand Dollars (\$15,000) exclusive of the cost of interest on borrowed money, with 100% payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after November 31, 2011 exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

REPLAT OF SPRING ACRES ADDITION

S.E. ¼ Sec. 12, Twp. 27, R. 1 E.

Lot 15 (commonly known as 1405 N. Willow Lane)
Lot 17 (commonly known as 1425 N. Willow Lane)
Lot 19 (commonly known as 1459 N. Willow Lane)
Lot 21 (commonly known as 1475 N. Willow Lane)
Lot 23 (commonly known as 1485 N. Willow Lane)
Lot 43 (commonly known as 1466 N. Willow Lane)
Lot 45 (commonly known as 1458 N. Willow Lane)
Lot 47 (commonly known as 1446 N. Willow Lane)
Lot 49 (commonly known as 1420 N. Willow Lane)
Lot 51 (commonly known as 1400 N. Willow Lane)

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district shall be liable shall be on individual lot basis, with each parcel paying 10% of total cost.

Where the ownership of a single lot or tract is or may be divided into two or more parcels, the assessment to the lot or tract so divided shall be assessed to each ownership or parcel on a square foot basis. Except when driveways are requested to serve a particular tract, lot or parcel, the cost of said driveway shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

PASSED by the governing body of the City of Wichita, Kansas, this 6th day of March, 2012.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AT TO FORM:

GARY E. REBENSTORF, DIRECTOR OF LAW